

# **Chevy Chase Village Board of Managers**

## **April 14, 2014**

***Note:** These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance. An audio recording of this meeting is available on the Village website at [www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov) or by request to the Village office.*

### **BOARD OF MANAGERS**

Patricia S. Baptiste, Chair	Present
Michael L. Denger, Vice Chair	Present
Richard M. Ruda, Secretary	Present
David L. Winstead, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Robert C. Goodwin, Jr., Assistant Treasurer	Present
Elissa A. Leonard, Board Member	Present

### **STAFF**

Shana R. Davis-Cook, Village Manager	Present
John M. Fitzgerald, Police Chief	Present
Michael W. Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present
Kathy Wilson, Community Liaison/Administrative Assistant	Present

### **COUNSEL**

Suellen M. Ferguson, Village Counsel	Present
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Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:34 p.m.

### **Approval of Minutes from the Board's Regular Meeting held on March 10, 2014**

Minutes of the Board's regular meeting held on March 10, 2014 were circulated to the Board prior to the meeting. *Mr. Denger moved to approve the minutes of the Board of Managers' regular monthly meeting held on March 10, 2014, as drafted.* Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Leonard voted in favor of the motion. The motion passed.

### **Treasurer's Report**

The Treasurer's Report was distributed prior to the meeting. No action was taken by the Board.

## **Police Report**

The Police Report was distributed prior to the meeting.

Chief Fitzgerald noted that the anticipated purchase of replacement police radios for each cruiser in the proposed FY2015 budget will be delayed at least one fiscal year to due to Montgomery County's delayed build-out of the required infrastructure. The proposed FY2015 Capital Improvement Plan budget will be modified to reflect this change. This change to the proposed budget was accepted by the Board.

## **Committee and Commission Appointments**

### **Building Facilities Commission**

*Ms. Leonard moved to appoint Pamela B. Murphy of East Kirke Street as Chair of the Building Facilities Commission.* Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Leonard voted in favor of the motion. The motion passed.

### **Elections Committee Request for Board Appointment of Alternate Election Judges**

*Mr. Denger moved to appoint Anne Heilman of Grafton Street, Mary Sheehan of West Kirke Street, and Karen Spangler of Grove Street as alternate election judges.* Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Leonard voted in favor of the motion. The motion passed. With the Board's unanimous support, the Board Chair is authorized to appoint these residents as alternate election judges.

### **Public Hearing (second of two): Draft Budget for the Fiscal Year Beginning July 1, 2014 (FY2015)**

There were no comments from the Board or from residents. The Board will vote on the final draft FY2015 budget at its Annual Meeting on Monday, April 21.

### **Update and Possible Board Action on Increased Excess Liability Coverage**

Ms. Davis-Cook reported on ongoing efforts to secure additional excess liability coverage. She noted that since quotes for coverage are still outstanding, the proposed FY2015 budget should be amended to allow for premiums totaling no more than \$24,000.

*Mr. Crockett moved to amend the proposed FY2015 budget to increase the General Government, Operations budget by \$24,000 for the anticipated annual premium for excess liability insurance coverage.* Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett and Ms. Leonard voted in favor of the motion. The motion passed.

### **Update on Comcast Franchise Renewal**

Ms. Ferguson provided an update on the status of negotiations to renew the Comcast Franchise Agreement. No action was taken by the Board.

## **New Business**

### **Public Hearing and Possible Board Action**

The Board thanked the members of the Building Code Review Committee and Village Counsel for their excellent job of revising the Village Building Code. The Board Chair opened the Public Hearing for comments from the floor on Resolution Nos. 04-01-14, 04-02-14 and 04-03-14. No comments were made from the floor nor were any received in writing prior to the meeting. The Board Chair closed the record and called for motions on each Resolution.

- **Resolution No. 04-01-14:** An Ordinance to repeal and re-enact Chapter 8, “Buildings and Building Regulations: in its entirety.

*Mr. Crockett moved to approve Resolution No. 04-01-14, as drafted.* Ms. Leonard seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett and Ms. Leonard voted in favor of the motion. The motion passed.

- **Resolution No. 04-02-14:** An Ordinance to amend Chapter 6, “Fees and Fines”, Sec. 6-2, “Fees and Charges for Permits and Services”, and Sec. 6-3, “Municipal Infraction Fines”, to conform to amendments to Chapter 8, “Buildings and Building Regulations”.

*Mr. Ruda moved to approve Resolution No. 04-02-14, as drafted.* Mr. Goodwin seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett and Ms. Leonard voted in favor of the motion. The motion passed.

- **Resolution No. 04-03-14:** An Ordinance to amend Chapter 25, “Public Rights-of-Way”, to clarify that a License to Use the Public Right-of-Way is not required for the replacement of any private walkway within the public right-of-way; to require a License to Use the Public Right-of-Way for a handrail required for safety on or beside steps in a yard where there is a change in grade and for a lamp post; and require that certain retaining walls intended to be placed in the right-of-way must be designed by a structural engineer and to include certain definitions and to amend Chapter 6, “Penalties, Fees and Fines”, Sec. 6-3, “Municipal Infraction Fines” to conform to Chapter 25 amendments.

*Mr. Winstead moved to approve Resolution No. 04-03-14, as drafted.* Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett and Ms. Leonard voted in favor of the motion. The motion passed.

### **Contract Extension Authorizations**

- **Consulting Arborist—second of two (2) one-year options with *Feather & Associates***

*Mr. Crockett moved to authorize the Village Manager to exercise the second of two (2) one-year options to extend the contract with Feather and Associates.* Mr. Goodwin seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett and Ms. Leonard voted in favor of the motion. The motion passed.

- **Refuse and Recycling Collection – second of two (2) one-year options with *Unity Disposal and Recycling, LLC*.**

*Mr. Denger moved to authorize the Village Manager to exercise the second of two (2) one-year options to extend the contract with Unity Disposal and Recycling. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett and Ms. Leonard voted in favor of the motion. The motion passed.*

#### **Purchase Authorization for Spring Tree Plantings from *Stadler Nursery***

*Mr. Denger moved to authorize the purchase of forty-five (45) trees of varying species from Stadler Nursery in support of spring 2014 tree planting operations in the amount of \$9,257.47. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett and Ms. Leonard voted in favor of the motion. The motion passed.*

#### **Manager's Report**

The Manager's Report was circulated prior to the meeting. No action was taken by the Board.

*Mr. Denger moved to adjourn the meeting. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Winstead, Mr. Crockett and Ms. Leonard voted in favor of the motion. The motion passed. The meeting adjourned at 9:06 p.m.*

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Secretary, Chevy Chase Village Board of Managers

*Final.*